EXHIBIT A

LAW OFFICES OF ANDREW PARK, P.C.

Andrew Park, Esq. ID#: 008691997

450 Seventh Avenue, Suite 1805

New York, NY 10123

Tel: (212) 239-3680 Fax: (212) 239-3683

ATTORNEYS FOR PLAINTIFF, VICTORIA PEREZ RUIZ

VICTORIA PEREZ RUIZ,

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: ESSEX COUNTY

Plaintiff(s),

DOCKET NO.:

V.

SUMMONS

BJ'S WHOLESALE CLUB, INC.,

Defendant(s).

FROM THE STATE OF NEW JERSEY,

To the Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at

http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

Dated: May 12, 2022

Michelle M. Smith Clerk of the Superior Court

Name of Defendant(s) to be Served:

BJ'S WHOLESALE CLUB, INC.

Address of Defendant(s) to be Served:
BJ'S WHOLESALE CLUB, INC. - 180 Passaic Avenue, Kearny, NJ 07032

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ATTORNEYS FOR PLAINTIFF, VICTORIA PEREZ RUIZ

VICTORIA PEREZ RUIZ,

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: ESSEX COUNTY

Plaintiff(s),

DOCKET NO.:

V.

: COMPLAINT WITH DEMAND FOR

TRIAL BY JURY

BJ'S WHOLESALE CLUB, INC.,

Defendant(s).

Plaintiff, VICTORIA PEREZ RUIZ, by way of Complaint, states:

COUNT ONE

- 1. Plaintiff VICTORIA PEREZ RUIZ is an adult individual residing at 42 Sumo Village Ct, Newark, NJ 07114.
- 2. Defendant BJ'S WHOLESALE CLUB, INC. is a business entity with a location at 180 Passaic Avenue, Kearny, NJ 07032.
- 3. On or about March 4, 2022, Plaintiff VICTORIA PEREZ RUIZ was lawfully in the premise located at 180 Passaic Avenue, Kearny, NJ 07032, which was owned and managed by Defendant BJ'S WHOLESALE CLUB, INC...
- 4. On or about March 4, 2022, Plaintiff VICTORIA PEREZ RUIZ was lawfully at the aforementioned premise, and she was caused to sustain serious permanent injuries to her body.

5. The above mentioned occurrence, and the results thereof, were caused by the joint, several

and concurrent negligence of the Defendant and/ or said Defendant's agents, servants, employees

and/or licenses in the ownership, operation, management, supervision, maintenance, and control

of the aforesaid premise without any warning to persons using said premise.

6. The Plaintiff's serious and permanent personal injuries, extreme pain and suffering and the

necessity of spending large sums of money for medical aid and attention result from the negligence,

carelessness, and recklessness of Defendant BJ'S WHOLESALE CLUB, INC. in the operation and

maintenance of the aforesaid premise.

7. The said accident and resulting injuries were caused wholly and solely by the negligence

of Defendant BJ'S WHOLESALE CLUB, INC...

8. As a direct and proximate result of the occurrence and negligence of Defendant as foresaid.

Plaintiff VICTORIA PEREZ RUIZ was caused to sustain severe and serious personal injuries,

which resulted in her obtaining medical treatment, sustaining lost wages and which caused her

great pain and suffering.

WHEREFORE, Plaintiff VICTORIA PEREZ RUIZ demands judgment against Defendant

BJ'S WHOLESALE CLUB, INC. for damages, together with interest, cost of suit and attorneys'

fees.

Attorney for Plaintiff

Dated: May 12, 2022

CERTIFICATION

I hereby certify that, pursuant to \underline{R} .4:5-1, the matter in controversy is not the subject to any other action pending in any Court or of any arbitration proceeding and no such action or proceeding is contemplated. I know of no other party who should be joined in this action.

Andrew Park, Esq. Attorney for Plaintiff

Dated: May 12, 2022

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that pursuant to \underline{R} .4:25.4, Andrew Park, Esquire is hereby designated trial counsel in this matter.

Andrew Park, Esq.
Attorney for Plaintiff

Dated: May 12, 2022

JURY DEMAND

Plaintiff VICTORIA PEREZ RUIZ demands a trial by jury on all issues.

Andrew Park, Esq. Attorney for Plaintiff

Dated: May 12, 2022

Civil Case Information Statement

Case Details: ESSEX | Civil Part Docket# L-002817-22

Case Caption: PEREZ RUIZ VICTORIA VS BJS Case Type: PERSONAL INJURY

WHOLESALE CLUB I NC Document Type: Complaint with Jury Demand

Case Initiation Date: 05/13/2022 Jury Demand: YES - 6 JURORS

Attorney Name: INHO ANDREW PARK Is this a professional malpractice case? NO

Firm Name: ANDREW PARK PC Related cases pending: NO Address: 450 SEVENTH AVE SUITE 1805 If yes, list docket numbers:

NEW YORK NY 10123 Do you anticipate adding any parties (arising out of same

Phone: 2122393680 transaction or occurrence)? NO

Name of Party: PLAINTIFF: PEREZ RUIZ, VICTORIA Does this case involve claims related to COVID-19? NO

Name of Defendant's Primary Insurance Company

(if known): Unknown

Are sexual abuse claims alleged by: VICTORIA PEREZ RUIZ? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO If yes, please identify the requested accommodation:

Will an interpreter be needed? NO If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

05/13/2022 Dated /s/ INHO ANDREW PARK

Signed

EXHIBIT B



John M. McConnell | Partner Direct 609.986.1326 | jmcconnell@goldbergsegalla.com

May 20, 2022

Andrew Park, Esq. 450 Seventh Avenue, Suite 1805 New York, NY 10123

Re: Perez Ruiz v. BJ's Wholesale Club, Inc.

Docket No.: ESX-L-002817

GS File No.: 1342.

Dear Mr. Park,

Please be advised that we represent Defendant named as BJ's Wholesale Club, Inc. in this case. Enclosed please find a Stipulation to Limit Damages. If your client does not sign and return this to me immediately, we will take steps to remove this matter to the Federal Court. Thank you very much.

Sincerely,

s/ John M. McConnell John M. McConnell

JMM:ks Enclosure

Please send mail to our scanning center at: PO Box 580, Buffalo NY 14201

John M. McConnell, Esq. [#028152006]

Goldberg Segalla LLP

Mailing Center: PO Box 580, Buffalo, NY 14201

301 Carnegie Center, Suite 200

Princeton, NJ 08540

609.986.1300

609.986.1301 (fax)

Attorneys for BJ's Wholesale Club, Inc.

VICTORIA PEREZ RUIZ,

Plaintiff(s),

v.

BJ'S WHOLESALE CLUB, INC.,

Defendant.

SUPERIOR COURT OF NEW JERSEY LAW DIVISION ESSEX COUNTY

DOCKET NO.: ESX-L-2917-22

STIPULATION TO LIMIT DAMAGES

Plaintiff Victoria Perez Ruiz (hereinafter referred to as "Plaintiff") and Defendant BJ's Wholesale Club, Inc. hereby understand and agree to the following:

- 1. Defendant BJ's Wholesale Club, Inc. has the right, pursuant to 28 U.S.C. § 1441 to remove the above captioned matter to Federal Court;
- 2. Defendant BJ's Wholesale Club, Inc. is willing to forego this right in exchange for the agreement of Plaintiff to limit the damages which Plaintiff is entitled to recover in the above captioned matter, if any; and
- 3. In reliance upon the express agreement of Plaintiff and Defendant BJ's Wholesale Club, Inc. to the limitation of damages set forth herein, Defendant BJ's Wholesale Club, Inc. will agree not to exercise its right to remove the above captioned matter to the Federal Court.

Therefore, on this ______ day of ______ 2022, Plaintiff and Defendant BJ's Wholesale Club, Inc. hereby stipulate and agree that the full amount and/or value of any and all

damages (including interest, fees and costs) to which Plaintiff may be entitled in the above captioned matter shall not exceed seventy-five thousand dollars and zero cents (\$75,000.00).

LAW OFFICES OF ANDREW PARK, P.C.

GOLDBERG SEGALLA, LLP

ANDREW PARK, ESQ.

Attorneys for Plaintiff Victoria Perez Ruiz

Date: May___, 2022

JOHN M. MCCONNELL, ESQ.

Attorneys for Defendant BJ's Wholesale Club, Inc.

Date: May ___, 2022